

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re	:	Chapter 13
	:	
DANIEL J. GALLAGHER,	:	Bankruptcy No. 06-13789DWS
	:	
Debtor.	:	

ORDER

AND NOW, this 15th day of December 2006, this Court having noticed a hearing on a creditor's motion to dismiss this Chapter 13 case with prejudice which Debtor is contesting;

And Debtor's counsel David A. Scholl, Esquire ("Scholl") failing to appear at the hearing scheduled for December 14, 2006 at 10:30 a.m.;¹

And as a result, the hearing having been continued and specially listed for December 21, 2006 at 12:00 p.m.;

¹ Scholl had six or seven contested matters on the Court's docket this date and was not present for any of them although some of his clients were. At least one matter had already been continued from the prior week when Scholl also did not appear. The repeated failure to appear at all or when his cases are called is a result of conflicting hearings in other courts and/or courtrooms which he has failed to reconcile.

It is hereby **ORDERED** that Scholl shall be present if he intends to contest the relief being sought in the motion;

And it is **further ORDERED** that his failure to be present shall be a contempt of this Court's Order for which sanctions shall be issued, including costs to the parties and counsel prejudiced by his failure to appear.

DIANE WEISS SIGMUND
Chief U.S. Bankruptcy Judge

cc: Judge Bruce Fox
Judge Stephen Raslavich
Judge Eric Frank
Judge Richard Fehling
Judge Jean FitzSimon

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